IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.
WRIT PETITION No.1552 OF 2005.
Sainath Manohar Pradhan. Petitioner.

Vs.

NL Forex Limited and others. Respondents.

Mr. N. P. Deshpande, Advocate for the Petitioners.

CORAM: R.C. CHAVAN, J.
DATED: 12th January, 2007.

P.C.:-

1. By this petition, the plaintiff in Regular Civil Suit No. 1756 of 2004 before the learned 2nd Joint Civil Judge, Junior Division, Pune takes exception to the rejection of his application for amendment of plaint.

2. The plaintiff had filed a suit for recovery of unpaid salary by his employer-respondent. By the amendment application, the plaintiff wants to contend that the respondent-employer had unnecessarily started a Departmental Enquiry after the petitioner has resigned from the service and,therefore, wants to make averments in respect of the enquiry. The learned trial

Judge has rightly rejected the application, since the scope of the suit was obviously restricted to recovery of salary for the period for which the petitioner had rendered his service.A Subsequent enquiry by the respondent-employer or the developments in the enquiry are utterly irrelevant for deciding controversy which was before the Court. Therefore, no fault can be found with the learned Trial Judge when he rejected application Exh.15 for amendment of the plaint. The petition is,therefore, dismissed.

[R.C. CHAVAN, J]